

Corporations, to whom was referred Senate bill No. 17, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

MENDELL, Chairman.

REPORT OF COMMITTEE ON REFORMS IN CIVIL PROCEDURE.

Committee Room,

Austin, Texas, September 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Civil Procedure, to whom was referred House bill No. 25, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendment. Mr. Williford has been appointed to make a full report thereon.

CARLOCK, Chairman.

REPORT OF JUDICIARY COMMITTEE.

Committee Room,

Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to whom was referred Senate bill No. 9, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Bryan has been appointed to make a full report thereon.

BRYANT, Chairman.

REPORT OF COMMITTEE ON GAME AND FISHERIES.

Committee Room,

Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Game and Fisheries, to whom was referred House bill No. 31, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Swope has been appointed to make a full report thereon.

BAKER, Chairman.

NINETEENTH DAY.

(Thursday, September 20, 1917.)

The House met at 10 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Baker.	Metcalfe.
Beard of Milam.	Miller of Austin.
Beasley.	Morris.
Beason.	Murrell.
Bedell.	Neeley.
Bertram.	Nordhaus.
Blackburn.	O'Banion.
Blackmon.	O'Brien.
Bledsoe.	Osborne.
Brown.	Parks.
Bryan.	Peyton.
Bryant.	Pillow.
Burton of Rusk.	Raiden.
Butler.	Reeves.
Cadenhead.	Russell.
Carlock.	Sackett.
Clark.	Sentell.
Cope.	Schlosshan.
Cox.	Seawright.
Crudgington.	Sholars.
Davis of Dallas.	Smith of Bastrop.
Davis of Grimes.	Smith of Hopkins.
Davis	Spencer of Wise.
of Van Zandt.	Spradley.
De Bogory.	Stewart.
Dudley.	Swope.
Estes.	Taylor.
Fairchild.	Templeton.
Fisher.	Terrell.
Fitzpatrick.	Thomas.
Fly.	Thomason
Greenwood.	of El Paso.
Haidusek.	Thomason
Hardey.	of Nacogdoches.
Harris.	Thompson
Hill.	of Hunt.
Holaday.	Thompson
Holland.	of Red River.
Hudspeth.	Tillotson.
Johnson.	Tilson.
Jones.	Tinner.
Laas.	Trayler.
Lacey.	Tschoepe.
Lanier.	Veatch.
Lee.	Walker.
Lindemann.	White.
Low	Williams
of Washington.	of Brazoria.
McComb.	Williford.
McDowra.	Wilson.
McFarland.	Woods.
McMillin.	Woodul.
Meador.	Yantis.
Mendell.	

Absent.

Bagby.	Lowe
Beard of Harris.	of McMullen.
Florer.	Moore.
Hartman.	Nichols.
Hawkins.	Peddy.
Lange.	Richards.

Robertson.	Upchurch.
Rogers.	Valentine.
Spencer of Nolan.	Wahrmund.
Strayhorn.	

Absent—Excused.

Bell.	Miller of Dallas.
Blalock.	Monday.
Bland.	Neill.
Burton of Tarrant.	Pope.
Canales.	Poage.
Cates.	Roemer.
Denton.	Sallas.
Dodd.	Schlesinger.
Dunnam.	Scholl.
Laney.	Smith of Scurry.
McCoy.	Williams
Martin.	of McLennan.

The Speaker announced a quorum present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence an account of important business:

Mr. Miller of Dallas, indefinitely, on motion of Mr. Dudley.

Mr. Sallas, for today and tomorrow, on motion of Mr. Fairchild.

Mr. Dunnam and Mr. Denton, for today, on motion of Mr. Fitzpatrick.

Mr. Bell, indefinitely, on motion of Mr. Thomas.

Mr. Neill, indefinitely, on motion of Mr. Cadenhead.

Mr. Scholl, for today, and Mr. Schlesinger, for today and tomorrow, on motion of Mr. Miller of Austin.

Mr. O'Brien, from last Friday until today, on motion of Mr. Lindemann.

On motion of Mr. Smith of Hopkins, Mr. Dodd was excused indefinitely on account of sickness.

RELATING TO STATE'S IRON INDUSTRY.

Mr. Terrell offered the following resolution:

Whereas, House Concurrent Resolution No. 22 relating to the sale of the State's iron industry at Rusk, Texas, was passed during the Regular Session of this Legislature and approved April 2, reading as follows:

Whereas, The property at the Rusk penitentiary known as the State's iron industry is deteriorating and wasting; and

Whereas, A large part of said property has heretofore been destroyed by fire, and much of the remaining machinery, apparatus and equipment has been sold or put to use in other portions of the penitentiary system; and

Whereas, The condition of such property is such that it could not be placed in operation by the State without rebuilding same at great cost; and

Whereas, It is not deemed practicable or expedient for the State to undertake to rehabilitate and place in operation said industry, and the same has been neglected and abandoned for many years as a State industry; and

Whereas, The successful operation of said industry would be of great benefit to the State railroad; to the development of one of the State's most valuable natural resources; and to the general welfare and prosperity of the people of this State; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Board of Penitentiary Commissioners with the approval and consent of the Governor and Attorney General, be and they are hereby advised and requested to sell and dispose of said property, in the manner provided by law, for such price and on such terms as will justify the purchase, rehabilitation and operation of same to any person, firm or corporation of Texas who will agree and give a good and sufficient bond in the sum of one hundred thousand (\$100,000) dollars to take, pay for, rehabilitate and put in operation the blast furnace, the cast iron pipe plant, and the foundry at the said Rusk penitentiary, within a reasonable time from the date of the sale thereof, and to operate said industries for at least one full year. This sale shall include such iron ore land and iron ore rights and land needed for the plant, its improvement and expansion as may be deemed advisable; also the use of the water, reservoirs, pipe lines, ore bed, railroads, rights of way, industrial sidings and switching, easements, rights and privileges belonging to or to which the State is entitled for the uses and purposes of said iron industry, and all other property of every kind belonging to or used in connection with said iron industry. Provided, that nothing herein shall be construed as a request to sell or dispose of the Rusk penitentiary, its buildings, grounds, and present prison industries.

nor of such lands as may be needed or wanted for other purposes; and

Whereas, Since the adoption of said resolution the authorities of the prison system have continued to tear up and dismantle the State's iron industry and sell the same as "scrap iron" to "junk dealers" at a great loss to the State; and

Whereas, This iron industry was a valuable property consisting of blast furnace, pipe foundry and appurtenances necessary for their operation, together with vast beds of the finest brown hematite iron ore, easily accessible for the purpose of making pig iron, water pipes and other iron products so urgently needed by the United States and by the various industries in this country; and

Whereas, George W. Armstrog and associates of Fort Worth, Texas, were ready and anxious to purchase this property at a fair price to the State, and put it in operation at the time the resolution above referred to was adopted, but they could not get any consideration or any terms of sale from the penitentiary authorities; and

Whereas, Mr. L. P. Featherstone and associates of Beaumont, Texas, are now ready to purchase this property and have been anxious to consummate this deal with the State for some time and put this iron industry into operation at the earliest possible date; and

Whereas, Mr. L. P. Featherstone and associates manifest their good faith in the proposition by sending their expert to investigate this property as shown by a letter addressed by Mr. Featherstone to Acting Governor Hobby, Attorney General Looney and the Board of Prison Commissioners, which reads as follows:

(Copy.)

Beaumont, Texas, Sept. 17, 1917.

Governor W. P. Hobby, Attorney General B. F. Looney, and the Board of Penitentiary Commissioners.

My Dear Sirs: Acting under a proposition submitted to the United States government, under which we have undertaken to expedite development of the iron resources of the State of Texas for the benefit of the government; under a proviso that the prices for the products, which shall be manufactured for the government; shall be determined by the government, we have been interested in House Concurrent Resolution No. 22 of the Thirty-fifth Legislature relating

to the sale of State's blast furnace and iron ore property at Rusk.

Acting under the advice of General Goethals, we commenced about June 1st trying to discover whether or not the provisions of that resolution were to be carried out, and, if to be carried out, when.

We stated that the United States' government emergency was such that we were ready to buy this property at a fair price, or to lease it on a fair basis, from the State, with the hope of being able to put it into production of pig iron, somewhat earlier than it is possible for us to get our larger plant into operation at Beaumont.

We have been unable up to this time to discover the intention of the State. For the information of the Board, I will state that our blast furnace expert reports that some of the most valuable parts of the equipment of the plant have been destroyed, or converted into scrap and made away with in the last ninety days. He is of the impression that it is altogether possible that the standing furnace and heating ovens may be dynamited at any time, to be later carried off.

What is still left there would save some time in getting into production, if promptly put into control of some one identified with the property.

Hope to be advised of conclusions at your earliest convenience.

Yours truly,

(Signed) L. P. FEATHERSTONE.

And, Whereas, The statutes of the State confer the authority of the control and management of the penitentiary system and its property upon the Board of Prison Commissioners and the Governor, and the Attorney General would probably have no authority to effect the sale of this property or to stop the dismantling and destruction of the property and selling it as junk; now, therefore, be it

Resolved by the House of Representatives, That the investigating committee to be appointed under a resolution already adopted by this House be and they are directed to make special investigation of this matter and to ascertain the reasons why the Prison Commissioners have continued to dismantle the State's iron industry and sell the same as "scrap iron" when it might have been sold to a responsible company and put into operation and developed one of the State's greatest industries,

and to report their findings to the Governor of the State and to the Speaker of the House at the earliest possible date, in order that necessary legislation may be enacted to stop this destruction of the State's property and to provide for the sale, or lease and operation of this property, to the end that the great iron ore deposits of the State may be developed and made to contribute to the wealth and prosperity of the State and nation.

Signed—Terrell, Reeves, Burton of Rusk, Clark, Cadenhead.

The resolution was read second time, and was adopted.

RELATING TO CONSTRUCTION OF STATE HIGHWAYS.

Mr. Tillotson offered the following resolution:

Whereas, A long protracted drouth has prevailed throughout all parts of West and Southwest Texas, rendering it impossible for the citizens of that section to grow feed and forage crops; and

Whereas, The conditions prevailing in these sections demand the helpful co-operation of all the agencies of the State in relieving the situation; therefore, be it

Resolved, by the House of Representatives, That the State Highway Commission, and the representative of the United States Department of Agriculture in Texas in charge of the Bureau of Road Construction under the Act of Congress allotting funds to the different States for the construction of State highways, be urged to use their utmost endeavors to facilitate and expedite the construction of parts of the system of State highways located in the drouth stricken localities of the State in every way possible, to the end that the expenditures for the work of construction may be of material assistance in contributing to the relief of the unfortunate conditions prevailing in these counties.

Signed—Tillotson, De Bogory, McFarland.

The resolution was read second time, and was adopted.

INVITING HON. G. C. CLEGG TO ADDRESS THE HOUSE.

Mr. Peyton offered the following resolution:

Whereas, The Hon. G. C. Clegg of Trinity, Texas, who was a member of the

Twentieth and Twenty-second Legislatures, is now in the city; therefore, be it

Resolved, That he be invited to address the House of Representatives in this hall at 8 o'clock p. m. today.

Signed—Peyton, Murrell.

The resolution was read second time, and was adopted.

TO PAY TEMPORARY PORTER.

Mr. Mendell offered the following resolution:

Resolved, That Will Petty be paid \$2 per day for three days' work as temporary porter.

Signed—Mendell, Robertson.

The resolution was read second time and was adopted.

(Mr. O'Banion in the chair.)

RELATING TO LOANS TO FARMERS.

Mr. Beard of Milam offered the following resolution:

Whereas, One of the most disastrous drouths in the history of Texas has prevailed over a great portion of the State this year; and

Whereas, Many people in such drouth stricken districts must necessarily receive aid to be enabled to produce a crop next year; and

Whereas, It is apparent to every earnest-thinking person that such relief must come from the counties and sections of the State where such drouth sufferers may reside; therefore, be it

Resolved by the Thirty-fifth Legislature in Third Called Session assembled, That we recommend a closer co-operation among the people purchasing seed, feed and foodstuffs, that same may be had at the lowest possible cost to the consumer; be it further

Resolved, That we appeal to the bankers, financiers and business institutions of the State to be lenient in the collection of debts against their customers, incurred during the present year, and to be as liberal in the extending of credits next year to the people as their business will permit, that the people may be enabled to cultivate the farms of the State; and

Whereas, The regional banks are lending money on approved security at 6 per cent, and

Whereas, The deplorable conditions

caused by the drouth are such that no one should desire to make undue profits during the coming year, but should lend his energy, ability and capital to assist the State to maintain its reputation as the greatest producing State of the Union; therefore, be it

Resolved, That we recommend to the bankers of the State that loans made next year for agricultural purposes and supplying live stock for the farm, be made at a rate of interest not to exceed 8 per cent per annum.

The resolution was read second time and was lost.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally the first time, and referred to the appropriate committees, as follows:

By Mr. Schlesinger:

H. B. No. 36, A bill to be entitled "An Act to amend Article 6709, Chapter 2, Title 118 of the Revised Civil Statutes of the State of Texas for 1911, providing for acknowledgments of deeds and other instruments, by persons in military service of the United States government to be taken before any officer of the Judge Advocate General's Department, and declaring an emergency."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Tillotson, Mr. Carlock and Mr. Hardey:

H. B. No. 37, A bill to be entitled "An Act to amend Section 45 of Chapter 203, of the Acts of the Regular Session of the Thirty-fifth Legislature, being an act to regulate the use and operation of vehicles upon the public highways."

Referred to Committee on Criminal Jurisprudence.

By Mr. Brown, Mr. Sackett, Mr. Spencer of Wise, Mr. Nordhaus and Mr. Metcalfe:

H. B. No. 38, A bill to be entitled "An Act to prohibit the bringing of suits in this State to collect delinquent taxes until on and after the 31st day of January, A. D. 1919, and to continue all such suits now pending until such time, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bryant:

H. B. No. 39, A bill to be entitled "An Act to establish and incorporate the Whiteman Independent School District, with certain boundaries in Haskell county, Texas, with all the powers and privileges of independent school districts, to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school; to issue bonds, and declaring an emergency."

Referred to Committee on Education.

By Mr. Bryant:

H. B. No. 40, A bill to be entitled "An Act to establish and incorporate the Pinkerton Independent School District, with certain boundaries in Haskell county, Texas; with all the powers and privileges of independent school districts; to manage and control the public schools of same; to elect the trustees therefor; to levy and collect taxes for the maintenance of said school; to issue bonds, and declaring an emergency."

Referred to Committee on Education.

By Mr. Dudley and Mr. Carlock:

H. B. No. 41, A bill to be entitled "An Act to amend Sections 3, 12 and 16 of Chapter 100, of the Acts of the Regular Session of the Thirty-fifth Legislature, creating a State Highway Department, and which sections relate to the powers, duties and compensation of the State Highway Commission to the allotment of highway funds in aid of road construction, and to annul fee for registration of motor vehicles and motorcycles."

Referred to Committee on State Affairs.

By Mr. Mendell:

H. B. No. 42, A bill to be entitled "An Act establishing the claim of S. S. Perry against the State of Texas for breach of contract entered into between him and the Board of Prison Commissioners; making an appropriation in payment of said claim; declaring that the Board of Prison Commissioners shall replace the amount thus appropriated when they have the funds, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Butler:

H. B. No. 43, A bill to be entitled "An Act to make appropriation for de-

ficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1916, and 1917, to cover authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Cope, Mr. McMillin, Mr. Smith of Bastrop, Mr. Sackett, Mr. Seawright, Mr. Pillow, Mr. Dudley, Mr. Schlosshan and Mr. Bryant:

H. B. No. 44, A bill to be entitled "An Act concerning impeachment of officers; providing what officers, agents and employes may be impeached by the House of Representatives and tried thereon by the State; providing for the convening of the House and Senate for such purposes, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Peyton:

H. B. No. 45, A bill to be entitled "An Act to amend Chapter 161, Acts of the Regular Session of the Thirty-fifth Legislature, approved March 30, 1917, entitled 'An Act to amend Subdivisions 1, 2, 6 and 7 of Article 1130, Chapter 2, Title 15, of the Code of Criminal Procedure of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, 1911, relating to the fees allowed sheriffs and constables in all cases when the charge is a felony, and declaring an emergency.'"

Referred to Committee on Criminal Procedure.

(Speaker in the chair.)

SENATE BILL NO. 9 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, as a special order for this hour, on its passage to a third reading,

S. B. No. 9, A bill to be entitled "An Act creating an express lien in favor of the State of Texas on all public free school land, University land, and the several asylums land for the use and benefit of the public free school fund, the University fund, and the several asylums fund for the purpose of securing the payment of said funds of all unpaid purchase money and interest thereon due and to become due

upon all of said lands which have heretofore been sold and which may hereafter be sold so long as any portion of the principal or any portion of the interest thereon remains unpaid; also authorizing the Commissioner of the General Land Office on behalf of the State of Texas to transfer the indebtedness due to said funds and the lien held upon said land for the benefit of said funds to secure the payment of the principal and interest to such person, firm or corporation as may make payment in full to the State for all sums due upon said land, and providing that the person, firm or corporation shall be subrogated to all the rights, liens and remedies held and enjoyed by the State, and declaring an emergency."

The bill having been read second time on yesterday.

Question—Shall the bill be passed to a third reading?

(Mr. McMillin in the chair.)

Mr. O'Banion offered the following amendment to the bill:

Amend Senate bill No. 9, Sections 2 and 3, by striking out the words "any person, firm or corporation," wherever they occur and substitute therefor the words "Federal Land Bank."

Signed—O'Banion, Holaday.

Question—Shall the amendment be adopted?

RECESS.

On motion of Mr. Beasley, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Mr. McMillin, who was in the chair when the House recessed.

SENATE BILL NO. 9 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 9, creating an express lien in favor of the State of Texas on all public free school, University and asylum lands, on its passage to a third reading, with amendment by Mr. O'Banion pending.

Question—Shall the amendment be adopted?

Pending consideration of the amend-

ment, Mr. Williford and Speaker Fuller occupied the chair temporarily.

(Mr. Carlock in the chair.)

Mr. Thomas moved the previous question on the amendment, and the main question was ordered.

Mr. White moved a call of the House for the purpose of maintaining a quorum, and the motion was duly seconded.

The Speaker directed the Doorkeeper to close the main entrance to the Hall and permit no member to leave the Hall without written permission from the Chair, and he instructed the Sergeant-at-Arms to lock all other doors leading out of the Hall.

Mr. Holland raised a point of order on consideration of the amendment on the ground that it seeks to change the purpose of the bill and is therefore not germane.

The Speaker overruled the point of order.

Question then recurring on the amendment by Mr. O'Banion, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—34.

Baker.	O'Banion.
Beard of Milam.	O'Brien.
Bedell.	Osborne.
Bertram.	Peyton.
Burton of Rusk.	Reeves.
Cadenhead.	Russell.
Clark.	Schlosshan.
Davis of Dallas.	Seawright.
Davis	Smith of Hopkins.
of Van Zandt.	Terrell.
Harris.	Thomason
Holaday.	of Nacogdoches.
Johnson.	Thompson
Lacey.	of Red River.
Lee.	Tinner.
Low	Traylor.
of Washington.	Walker.
Meador.	Williford.
Miller of Austin.	Yantis.

Nays—56.

Beasley.	Crudgington.
Beason.	Davis of Grimes.
Blackburn.	De Bogory.
Blackmon.	Dudley.
Brown.	Estes.
Bryan.	Fisher.
Bryant.	Fitzpatrick.
Butler.	Fly.
Carlock.	Haidusek.
Cope.	Hardey.
Cox.	Holland.

Hudspeth.	Spradley.
Jones.	Stewart.
Laas.	Taylor.
Lanier.	Templeton.
Lindemann.	Thomas.
McComb.	Thomason
McDowra.	of El Paso.
McFarland.	Thompson
Mendell.	of Hunt.
Metcalf.	Tillotson.
Morris.	Tilson.
Neeley.	Tschoepe.
Nordhaus.	Veatch.
Parks.	White.
Raiden.	Williams
Sackett.	of Brazoria.
Sentell.	Wilson.
Sholars.	Woodul.
Smith of Bastrop.	

Present—Not Voting.

Mr. Speaker.	Murrell.
Bledsoe.	Spencer of Wise.
McMillin.	Woods.

Absent.

Bagby.	Pillow.
Beard of Harris.	Richards.
Florer.	Robertson.
Hartman.	Rogers.
Hawkins.	Spencer of Nolan.
Hill.	Strayhorn.
Lowe	Swope.
of McMullen.	Upchurch.
Moore.	Valentine.
Nichols.	Wahrmund.
Peddy.	Woods.

Absent—Excused.

Bell.	Miller of Dallas.
Blalock.	Monday.
Bland.	Neill.
Burton of Tarrant.	Poage.
Canales.	Pope.
Cates.	Roemer.
Denton.	Sallas.
Dodd.	Schlesinger.
Dunnam.	Scholl.
Laney.	Smith of Scurry.
Lange.	Williams
McCoy.	of McLennan.
Martin.	

Paired.

Mr. Fairchild (present), who would vote "yea," with Mr. Greenwood (absent), who would vote "nay."

Mr. White moved to reconsider the vote by which the amendment was lost and to table the motion to reconsider.

The motion to table prevailed.

Mr. Cope offered the following amendment to the bill:

Amend the bill, Section 2, by inserting

after the words, "for the conveyance of real estate," the following: "Coupled with an affidavit of ownership."

The amendment was adopted.

Mr. De Bogory offered the following amendment to the bill:

Amend Senate bill No. 9, by adding just after Section 2, Section 2a, as follows: "Provided that no transfer of the State's lien or debt be made until the land, which is security for said lien or debt, has been occupied for the full period of time, and in the manner as provided by law."

Mr. Spradley moved the previous question on the amendment and passage of the bill to a third reading, and the main question was ordered.

Question then recurring on the amendment by Mr. De Bogory, it was adopted.

Mr. Terrell, by unanimous consent, offered the following amendment to the bill:

Amend the bill by inserting the words "or the Federal Farm Loan Bank," after the word "corporation" wherever it occurs in Sections 2 and 3 of the bill.

Signed—Terrell, Jones, Clark.

The amendment was adopted.

Question then recurring on the passage of the bill to a third reading, yeas and nays were demanded.

Senate bill No. 9 was passed to a third reading by the following vote:

Yeas—62.

Beasley.	Laas.
Beason.	Lacey.
Blackburn.	Lindemann.
Blackmon.	McComb.
Brown.	McDowra.
Bryan.	McFarland.
Bryant.	Mendell.
Butler.	Metcalf.
Carlock.	Miller of Austin.
Cope.	Morris.
Cox.	Neeley.
Crudgington.	Nordhaus.
Davis of Grimes.	O'Brien.
Davis	Parks.
of Van Zandt.	Raiden.
De Bogory.	Sackett.
Dudley.	Sentell.
Estes.	Schlosshan.
Fisher.	Sholars.
Fitzpatrick.	Smith of Bastrop.
Fly.	Smith of Hopkins.
Haidusek.	Spradley.
Hardey.	Stewart.
Holland.	Taylor.
Hudspeth.	Templeton.
Johnson.	Thomas.
Jones.	

Thomason	Veatch.
of El Paso.	White.
Thompson	Williams
of Hunt.	of Brazoria.
Tillotson.	Wilson.
Tilson.	Woodul.
Tschoepe.	

Nays—29.

Baker.	O'Banion.
Beard of Milam.	Osborne.
Bedell.	Peyton.
Bertram.	Pillow.
Burton of Rusk.	Reeves.
Cadenhead.	Russell.
Clark.	Seawright.
Davis of Dallas.	Swope.
Fairchild.	Thomason
Harris.	of Nacogdoches.
Holaday.	Tinner.
Lanier.	Traylor.
Lee.	Walker.
Low	Williford.
of Washington.	Yantis.
Meador.	

Present—Not Voting.

Mr. Speaker.	Spencer of Wise.
Bledsoe.	Thompson
McMillin.	of Red River.
Murrell.	Woods.

Absent.

Bagby.	Nichols.
Beard of Harris.	Peddy.
Florer.	Richards.
Greenwood.	Robertson.
Hartman.	Rogers.
Hawkins.	Spencer of Nolan.
Hill.	Strayhorn.
Lange.	Terrell.
Lowe	Upchurch.
of McMullen.	Valentine.
Moore.	Wahrmund.

Absent—Excused.

Bell.	Miller of Dallas.
Blalock.	Monday.
Bland.	Neill.
Burton of Tarrant.	Poage.
Canales.	Pope.
Cates.	Roemer.
Denton.	Sallas.
Dodd.	Schlesinger.
Dunnam.	Scholl.
Laney.	Smith of Scurry.
McCoy.	Williams
Martin.	of McLennan.

Mr. Holland moved to reconsider the vote by which the bill was passed to a third reading and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP SENATE BILL
NO. 9.

Mr. Bryan moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that Senate bill No. 9 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—58.

Beasley.	McFarland.
Beason.	Mendell.
Blackburn.	Metcalfe.
Blackmon.	Miller of Austin.
Brown.	Morris.
Bryan.	Nordhaus.
Bryant.	Parks.
Butler.	Pillow.
Carlock.	Raiden.
Clark.	Russell.
Cope.	Sackett.
Cox.	Sentell.
Crudgington.	Sholars.
Davis of Grimes.	Smith of Bastrop.
De Bogory.	Smith of Hopkins.
Dudley.	Spradley.
Dunnam.	Taylor.
Estes.	Templeton.
Fairchild.	Thomas.
Fisher.	Thompson
Fitzpatrick.	of Hunt.
Fly.	Tillotson.
Haidusek.	Tilson.
Hardey.	Tschoepe.
Holland.	Veatch.
Hudspeth.	White.
Jones.	Williams
Laas.	of Brazoria.
McComb.	Wilson.
McDowra.	Woodul.

Nays—30.

Baker.	Neeley.
Beard of Milam.	O'Banion.
Bedell.	O'Brien.
Bertram.	Osborne.
Burton of Rusk.	Peyton.
Cadenhead.	Reeves.
Davis of Dallas.	Schlosshan.
Harris.	Seawright.
Holaday.	Stewart.
Lacey.	Swope.
Lanier.	Tinner.
Lee.	Trayler.
Lindemann.	Walker.
Low	Williford.
of Washington.	Yantis.
Meador.	

Present—Not Voting.

Mr. Speaker.	McMillin.
Bledsoe.	Murrell.

Spencer of Wise.	Woods.
Thomason	
of El Paso.	

Absent.

Bagby.	Peddy.
Beard of Harris.	Richards.
Davis	Robertson.
of Van Zandt.	Rogers.
Florer.	Spencer of Nolan.
Greenwood.	Strayhorn.
Hartman.	Terrell.
Hawkins.	Thomason
Hill.	of Nacogdoches.
Johnson.	Thompson
Lange.	of Red River.
Lowe	Upchurch.
of McMullen.	Valentine.
Moore.	Wahrmund.
Nichols.	

Absent—Excused.

Bell.	Monday.
Blalock.	Neill.
Bland.	Pope.
Burton of Tarrant.	Poage.
Canales.	Roemer.
Cates.	Sallas.
Denton.	Schlesinger.
Dodd.	Scholl.
Laney.	Smith of Scurry.
McCoy.	Williams
Martin.	of McLennan.
Miller of Dallas.	

MESSAGE FROM THE ACTING
GOVERNOR.

Mr. S. Raymond Brooks, private secretary to the Acting Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Acting Governor, which was read to the House:

Governor's Office.

Austin, Texas, September 20, 1917.

To the Thirty-fifth Legislature in Third
Called Session:

I beg to submit for the consideration of your honorable body the following subjects:

1. Enactment of a law concerning impeachment of officers, providing what officers, agents and employes may be impeached by the House of Representatives and tried thereon by the Senate, and providing for the convening of the House and Senate for such purposes.

2. Enactment of legislation to amend Chapter 161, Acts of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the fees allowed sher-

iffs and constables in all cases when the charge is a felony.

Respectfully submitted,
W. P. HOBBY,
Acting Governor of Texas.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Bryant, it was ordered that House bills Nos. 39 and 40 be not printed.

SENATE BILL NO. 7 SET AS SPECIAL ORDER.

On motion of Mr. Tillotson, Senate bill No. 7, to prevent the spread of the pink boll worm, was set as a special order for 10:30 o'clock a. m. tomorrow.

SENATE BILL NO. 11 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 11, A bill to be entitled "An Act to regulate the business of emigrant agents, and declaring an emergency."

The bill was read third time.

Mr. Cadenhead moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the roll was called on the motion to postpone indefinitely.

The roll call developed the fact that there was not a quorum present, and it was so announced.

ADJOURNMENT.

On motion of Mr. Holland, the House, at 4:25 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF COMMITTEE ON APPROPRIATIONS.

Committee Room,
Austin, Texas, September 20, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House bill No. 42, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

PEYTON, Chairman.

Committee Room,
Austin, Texas, September 20, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred Senate bill No. 10, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments.

PEYTON, Chairman.

REPORT OF COMMITTEE ON GAME AND FISHERIES.

Committee Room,
Austin, Texas, September 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Game and Fisheries, to whom was referred House bill No. 35, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

BAKER, Chairman.

REPORTS OF COMMITTEE ON EDUCATION.

Committee Room,
Austin, Texas, September 20, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 39, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

Committee Room,
Austin, Texas, September 20, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 40 have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, September 20, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 22, A bill to be entitled "An Act making additional appropriations for the support of the State government for two years, beginning September 1, 1917, and ending August 31, 1919, as follows, to-wit: For the salaries of special district judges, for fees and costs of sheriffs, attorneys and clerks in felony cases, for the salary of Assistant Adjutant General and the quartermaster of the Adjutant General's Department, for the salary of the Chief Inspector of Nurseries for the Department of Agriculture, for the salary of the State Revenue Agent, for the salary of the chief clerk of the Game, Fish and Oyster Commissioner's Department, for the salary of the Bacteriologist of the State Health Department, for the salary of the Commissioner of Labor, for the salaries of four inspectors in the Labor Department, for the salaries of two chemists in the Pure Food Department for the salaries and expenses for collecting fees under the Pure Food Laws, for stamps to be used in the collection of fees in the Pure Food Department, for the salary of the porter in the Attorney General's Department, for the salary of the Commissioner of Insurance and Banking, for the salary of the Superintendent of the State Orphans' Home, for the salaries of twelve non-graduate nurses for the first year at Tuberculosis Sanitarium, for salaries of three assistants to the Inspector of Masonry and for material tests and analyses, long distance telephone, telegraph, express and freight charges and incidentals and traveling expenses for the Department of Inspector of Masonry, and to pay miscellaneous claims, and for other purposes; prescribing certain regulations and restrictions in respect thereto; repealing parts of laws heretofore passed making appropriations for the particular items named in this bill, and declaring an emergency,"

And find the same correctly engrossed.
DENTON, Chairman.

TWENTIETH DAY.

(Friday, September 21, 1917.)

The House met at 10 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Mr. Speaker.	Monday.
Baker.	Moore.
Beard of Milam.	Morris.
Beasley.	Murrell.
Beason.	Neeley.
Bedell.	Nordhaus.
Bertram.	O'Banion.
Blackburn.	O'Brien.
Blackmon.	Osborne.
Bledsoe.	Parks.
Brown.	Peyton.
Bryan.	Pillow.
Bryant.	Raiden.
Burton of Rusk.	Reeves.
Butler.	Robertson.
Cadenhead.	Russell.
Carlock.	Sackett.
Clark.	Sentell.
Cope.	Schlosshan.
Cox.	Scholl.
Crudgington.	Seawright.
Davis of Dallas.	Sholars.
Davis of Grimes.	Smith of Bastrop.
Davis	Smith of Hopkins.
of Van Zandt.	Spencer of Wise.
De Bogory.	Spradley.
Denton.	Stewart.
Dudley.	Swope.
Dunnam.	Taylor.
Estes.	Templeton.
Fairchild.	Terrell.
Fitzpatrick.	Thomas.
Fly.	Thomason
Haidusek.	of El Paso.
Hardey.	Thomason
Harris.	of Nacogdoches.
Hill.	Thompson
Holaday.	of Hunt.
Holland.	Thompson
Hudspeth.	of Red River.
Johnson.	Tillotson.
Jones.	Tilson.
Laas.	Tinner.
Lacey.	Trayler.
Lanier.	Tschoepe.
Lee.	Veatch.
Lindemann.	Walker.
Low	White.
of Washington.	Williams
McComb.	of Brazoria.
McDowra.	Williford.
McFarland.	Wilson.
McMillin.	Woods.
Meador.	Woodul.
Mendell.	Yantis.
Metcalf.	

Absent.

Bagby.	Nichols.
Beard of Harris.	Peddy.
Fisher.	Richards.
Greenwood.	Rogers.
Hartman.	Spencer of Nolan.
Hawkins.	Strayhorn.
Lange.	Upchurch.
Lowe	Valentine.
of McMullen.	Wahrmund.